



## EVELYN TADROS

### SELECT CASES

Evelyn has appeared in most courts in the Victorian and Federal hierarchy. Her appearances include:

#### Commercial law

- **C & F Nominees Mortgage Securities Ltd v Karbotli & Ors** [\[2021\] VSCA 134](#); [\[2020\] VCC 987](#); [\(No 2\) \[2020\] VCC 1514](#); [\(No 3\) 2020 VCC 1843](#): Challenge to the validity of a mortgage on the basis the mortgagee failed to take reasonable steps to verify the authority and identity of the mortgagor and whether the mortgage secured nothing – mortgage void (led by Jeremy Twigg QC for the defendant/counterclaimant/respondent, instructed by Marino Law)
- **In the matter of Tatts Group Limited** [\[2017\] VSC 552](#), [2017 VSC 770](#): Scheme of arrangement between Tatts Group Limited and Tabcorp Holding (led by Peter Collinson QC/Philip Crutchfield QC for the Applicant, instructed by Clayton Utz)
- **Mayback Pty Ltd v F. Ferguson Wool Co Pty Ltd**: Appeal from County Court resolved by consent (for the defendant, instructed by Nicholsons Lawyers)
- **F. Ferguson Wool Co Pty Ltd v Mayback Pty Ltd** [\[2017\] VCC 1562](#): Contracts dispute over settlement agreement (for the defendant, instructed by Nicholsons Lawyers)
- **Hartup v Mayback Pty Ltd**: Contracts dispute over sale of land - proceeding resolved (led by Jeremy Twigg SC for the defendant, instructed by Nicholsons Lawyers)
- **Comite Interprofessionnel du Vin de Champagne v Powell** [\[2015\] FCA 1110](#): misleading or deceptive conduct claim and alleged breaches of the Australian Grape and Wine Act 2013 (for the respondent, closing submissions phase with Natalie Hickey)
- **Australian Democrats National Incorporated v .AU Domain Administration Limited & Anor** [\[2016\] VMC \(unreported\)](#): Dispute over entitlement to domain names of a political party - proceedings dismissed with indemnity costs (for the second defendant, instructed by Aitken Partners)
- **Graphic Art Supplies Pty Ltd v Proteus Corporation (Magistrates' Court unreported)**: Contracts dispute over aviation services - judgment for plaintiff (for the plaintiff, instructed by Belbridge Hague)
- **Ron Englehart Pty Ltd v Dimitrijevic & Paul (VCAT)**: Building and defects dispute under the Domestic Building Contracts Act 1995 - proceeding resolved mid-hearing (led by Sam Hay for the defendant and counter-claimant, instructed by Millens Pty Ltd)



## Employment law

- [Former associates to Dyson Heydon v Commonwealth](#): Settlement reached with Commonwealth government for the sexual harassment by former High Court judge Dyson Heydon of three of his former associates (Led by Paul O'Grady QC, instructed by Maurice Blackburn)
- **Jessie Le v Sami Merhi trading as Pillar Café Federal Court MLG520/2020**: Settlement reached with respondent for alleged sexual harassment in the workplace (unled for the applicant, instructed by Clayton Utz)

## Public Law

- [Gjecaj v Minister for Immigration Citizenship, Migrant Services and Multicultural Affairs \[2022\] FedCFamC2G 936](#): Judicial review of AAT decision to not grant Partner visa; jurisdictional error established (led by Matthew Albert for the Applicant, instructed by Aila Rose Melasecca)
- [Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs v Montgomery S192/2021 High Court of Australia](#): Appeal of trial judge's decision to grant habeas corpus, whether Love & Thoms correct; Commonwealth withdrew appeal prior to judgment (Led by Justin Gleeson QC, Peter Willis QC and Matthew Albert for the Respondent, instructed by Russell Kennedy).
- [Hobson v Commonwealth v Australia \[2022\] FCA 418](#): Application for writ of habeas corpus for applicant detained under s189 of the Migration Act (led by Matthew Albert for the applicant, instructed by Carina Ford Lawyers)
- [Kolta v Psychology Board of Australia \[2022\] VCAT 414](#): Merits review of Board decision to refuse endorsement as a clinical psychologist, decision of board set aside and application approved (unled and directly briefed for the applicant)
- [Montgomery v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs \[2021\] FCA 1423](#): Judicial review on refusal to cancel revocation of visa under s501CA(3) of the Migration Act and application for writ of habeas corpus for applicant detained under s189 of the Migration Act (led by Matthew Albert for the applicant, instructed by Russell Kennedy)
- [APE16 v Minister for Home Affairs \[2020\] FCAFC 93](#): appeal from the Federal Circuit Court in relation to the concept of a "home area" and the internal relocation principle in applying s36(2B)(a) of the Migration Act 1958 (Cth) (led by Matthew Albert for the applicant, instructed by the Asylum Seeker Resource Centre)
- [Williams v University of Melbourne \(Review and Regulation \[2019\] VCAT 1215](#): Challenge to Freedom of Information request and consideration of "internal working documents" (for the respondent, instructed by University of Melbourne)
- [HFM043 v The Republic of Nauru \[2018\] HCA 37](#): statutory interpretation (led by Craig Lenehan and Matthew Albert for the appellant, instructed by Russell Kennedy)
- [WET044 v The Republic of Nauru \[2018\] HCA 14](#): judicial review (led by Wendy Harris QC and Matthew Albert for the appellant, instructed by Russell Kennedy)
- [MEG027 & Anor v The Republic of Nauru \(M21/2017\)](#): resolved by consent (led by Wendy Harris QC and Matthew Albert for the appellant, instructed by Russell Kennedy)



## Common law

- [Agustin-Bunch v Smith \[2022\] VSC 290](#): Application to strike out parts of defence and application for leave to file proposed further amended defence – leave refused as defence affected by extensive and confusing cross-referencing that rendered pleading embarrassing (led by Justin A Castelan for the plaintiff, instructed by Armstrong Legal)
- [Agustin-Bunch v Smith \[2021\] VSC 158](#): Interlocutory injunction for defamation and misleading or deceptive conduct contrary to Australian Consumer Law (led by Justin A Castelan for the plaintiff, instructed by Armstrong Legal)
- [BAF18 as litigation representative for BAG18 v Minister for Home Affairs \[2018\] FCA 1060](#): interlocutory injunction for urgent medical treatment (for the applicant, instructed by Russell Kennedy)
- [Von Marbug v Aldred & Anor \[2016\] VSC 565; \[2016\] VSC 566; \[2016\] VSC 36; \[2015\] VSC 467](#): Interlocutory rulings in defamation claim with respect to Facebook posts and comments and whether publication was properly pleaded (led by Justin A Castelan for the first defendant, instructed by Belbridge Hague/Marquette Lawyers)
- **Demi Anderson v Best Hooper Pty Ltd (VCAT, unreported)**: Professional negligence - proceeding dismissed with costs for the respondent (for the respondent, instructed by Best Hooper).

## Criminal/Regulatory Law

- [Matsoukatidou v Yarra Ranges Council \[2017\] VSC 61](#): Judicial review application on grounds of procedural fairness relating to summary building offences and the Charter of Human Rights and Responsibilities (led by Kylie Evans for the plaintiffs, instructed by Collin Biggers & Paisley);
- **Australian Securities and Investments Commission v Seifeddine (Magistrates' Court, unreported)**: criminal prosecution for breaches of directors' duties - plea (for the defendant, instructed by Mason Black Lawyers);